IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
APPELLATE SIDE
NAGPUR BENCH, NAGPUR

District :

Criminal Application No. 1661 of 2007

Office Notes, Office Memoranda of Coram, appearances, Court orders or directions and Registrar's orders

Court's or Judge's orders

CORAM: C. L. PANGARKAR J.
Dated: 26th June, 2007.

This is an application under Section 438 of Criminal Procedure Code. It is alleged that present applicant and the complainant together purchased certain agricultural land. There was a dispute between them. As a result of this dispute it is alleged that applicant and his son assaulted the complainant. The complainant was admitted in the hospital and he is now discharged from the hospital. Son of the present applicant has already arrested and has been released on

bail. Present applicant apprehends arrest.

Learned counsel for the applicant submitted that the weapon used in the offence has already been seized by the police. Offence cannot fall under Section 326 and it may fall under Section 324 I. P. C. Offence is, therefore, not of very serious nature. Weapon used in the offence is already seized. There is no need of custody of the applicant for interrogation. In the circumstances I find that present applicant is entitled to be released on anticipatory bail. Hence the order:

In the event of arrest in Crime No. 38/07 of police station Karanja Ghadge, the applicant be released on bail on his entering into personal bond in the sum of Rs.5000/- with one surety in the like amount. Hamdast granted.

JUDGE

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